

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:09CR3019
)	
v.)	
)	MEMORANDUM AND ORDER
CLARENCE D. HERGERT,)	
)	
Defendant.)	

The defendant has moved to continue the pretrial motion deadline previously set for March 17, 2010. Filing No. [24](#). Defense counsel explains that “[d]ue to the volume of information to be reviewed, counsel for Defendant requires additional time to review the discovery. In addition to a voluminous Rule 16 production, there are complex legal issues which counsel must address on behalf of the Defendant.” Filing No. [24](#), ¶ 2. Counsel for the government does not oppose the defendant’s motion. The court finds the defendant’s motion should be granted.

IT IS ORDERED:

- 1) Defendant’s unopposed motion to continue, (filing no. [24](#)), is granted and defendant's pretrial motions and briefs shall be filed on or before May 7, 2010.
- 2) As previously determined, (see filing no. [9](#), ¶ 6), this case is “unusual and complex;” it would be unreasonable for the court to require counsel and the parties to be ready for trial within the time restrictions of the Speedy Trial Act; and therefore this case is exempted from the time restrictions of that Act. See 18 U.S.C. 3161(h)(7)(B)(ii)

DATED this 8th day of February, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge